

THE *105c* *103*
DECLARATION

Lately Publish'd,

In Favour of his Protestant Subjects,

BY THE

Electoꝝ Palatine ;

And notify'd to her Majesty.

To which is prefix'd,

An Impartial ACCOUNT of the
Causes of those Innovations and
Grievances about Religion, which
are now so happily redress'd by his
Electoral Highness.

L O N D O N, Printed for *A. Baldwin* in
Warwick-Lane. M. DCC. VII.



An Impartial Account, &c.

AS *Liberty* is no where better preserv'd or understood than in *England*, so no where is the Name of a *Tyrant* more odious; nor less detestable is that of a *Persecutor*, as being a *Tyrant* over the Mind, and the audacious *Usurper* of God's own immediate Right and Province. Wherefore since the Arms of our Incomparable *Queen* are so gloriously employ'd to restore whole Nations to their *Civil Rights*, and that her prudent Councils are not less successfully occupy'd about continuing or procuring to all good *Christians* the Liberty of their *Consciences*; so it seems to me to be a very natural Enquiry, and highly becoming such as observe publick Transactions, to examine how far those Potentates, with whom we are under

any Tie of Friendship or Alliance, are Encouragers of the same generous Sentiments; this being of the utmost Consequence to our mutual good Understanding, both for the present and the future.

Various Reflections of this kind I have made my self, and heard made by others. Sometimes one Prince, and sometimes another, has been the Object of my Meditations or of my Company: but for a considerable space no Prince did more take up the Thoughts or Discourses of the latter, than his Highness the *Electör Palatine*; whose Subjects are divided in their Religion, there being *Calvinist, Lutheran, and Popish* Churches in his Dominions, and he himself being not only of the Persuasion of the last, but represented as a *Persecutor* of the first, in most of our *News-papers*, and in many other publick Writings. But the Result of my diligent and impartial Enquiry has in short been this, That *the Electör neither is nor ever was a Persecutor*; tho the *Protestants*, whose Grievances he has lately redress'd, have suffer'd by other hands more than either *Law* or *Gospel* could warrant. This is a Discovery that cannot but be pleasing to all good *Englishmen*, as well on the account of the present

present Happiness of their *Fellow-Protestants*, as with a particular regard to his *Electoral Highness*, in whom they justly admire so many excellent and princely Qualities; tho' they peculiarly distinguish his extraordinary Zeal and Constancy for the *Common Cause* of Europe against the exorbitant Power of the *French King*, to whose Fury and Resentments he's so immediately expos'd.

For these Reasons I observ'd many worthy *Patriots* to be truly concern'd, that the Glory of such a Prince should be tarnisht in any degree with the invidious Character of being a *Persecutor*; and I confess that this Consideration did sway with me above all other Motives to examine the Circumstances of this Affair so nicely as I have done. I am neither of his Country, nor of his Religion: I have not the honour even to know his Person, nor am any way engag'd in his Service. But finding the World (as I said) doing so much Justice to his Princely Merit, and so advantageously representing his publick Spirit; I thought it a thing inconsistent, that his *Electoral Highness* could be capable (against the Dictates of all good *Politicks*, as well as the true Genius of *Christianity*) to force

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the Consciences of his Subjects, whose cheerful Submission to his Government, or Fidelity and Affection to his Person, I never heard deny'd or disputed. Nevertheless, 'tis a notorious fact, that great Industry has been us'd to make him pass in the minds of *Englishmen* for a *Persecutor* of *Protestants*. After being therefore undeceiv'd my self, I thought it my Duty to undeceive others, were it but out of mere Gratitude for three very signal Services he render'd at different times to the *Common Cause*. The first of these was in the last War: For he was the principal cause of raising the Siege of *Rhynfeltz* in the Year 1695, the Preservation of that Place being of inexpressible Consequence; and therefore he chose rather to send his Troops thither, than to keep 'em in his own Country of *Fuliers*, to prevent the cruel Spoil and Devastations committed by the *French*, who had an Army there on purpose to prevent the Relief of *Rhynfeltz*. The next was in the Beginning of the present War, by his so timely seizing on the Boats of the Bridg and other Materials, which the Enemy intended to lay over the *Rhine* at *Keyserwerdt*, for the Passage of their Army under the Duke of *Burgundy* and the Marechal

chal de Boufflers, who had resolv'd to march strait forward to *Utrecht*, and so to force the *States* to accept of a Peace; which had disconcerted all the Measures of the *Allies*, and laid *Europe* before this time in Chains. The last is, that when at the beginning of the present War, the *Dutch* Troops were seiz'd, and made (as it were) Prisoners of War in the great Towns of *Flanders* and *Brabant*; the Elector march'd his Troops out of his own Territories, which were expos'd to the Enemy's Fury, into the most important Frontier of *Maestricht*, then without a sufficient Garison: A Benefit the States will never forget.

But I am to put the Reader in mind of two other things, before I come to a more particular Deduction. I have engag'd, it's true, to shew that the *Elect*or was not Author of those Hardships suffer'd by his Subjects; but it may be pertinently demanded, why he seem'd so backward to redress 'em? Of this, as I said, there are two Reasons to be given. On the first of these I shall not much insist (tho I might allowably do it) I mean the Measures which the *Elect*or *Palatine* was to observe with respect to the enormous Power of *France* as his next Neighbour,

and the extreme care he was to take of not giving that *Monarch* any fresh occasion of Displeasure, by contravening the fourth Article of the Treaty of *Ryswick*, whereof he would needs appear so fond, that when the *Protestants* made a difficulty of signing the *Treaty* by reason of that very Article, they were told the *French King* would treat 'em as Enemies, and make a separate War against them in particular. I shall not insist, I say, on any Measures his *Highness* was to keep with respect to *France*, because I know from good hands, that Monsieur *de Torci* speaking of this *Prince*, declar'd that he observ'd less Measures with his Master than any other Prince of the *Empire*. The other thing I would have to be consider'd, is the most weighty Reasons the *Electo Palatine* had to manage the Court of *Rome*, and to be cautious of making any breach with it, at a time that he stood in so great need of having Justice done him there, in the Decision of the Controversy depending between him and the Dutchess of *Orleans*, whereof the *Pope* was in the Treaty of *Ryswick* nam'd for the Sovereign Arbitrator. That this was one of the chief Motives of delaying the Execution of his laudable Intentions for granting Liberty,

erty, I fancy I have good reason to believe : For 'tis observable, that, notwithstanding the perpetual Clamours of the *Diet of Ratisbonne*, and the earnest Instances of many *Protestant* Princes, yet the *Electör* seem'd peremptorily resolv'd to stand by the fourth Article of the said Treaty ; *Liberty of Conscience* not being publish'd (if I remember right) in the *Palatinate*, till after the Court of *Rome* had pronounc'd Sentence in favour of his *Electoral Highness*.

After the Publication of this *Liberty*, follow'd the *Treaty*, which gave the finishing Stroke to so great and good a Work. But that the Reader may be the better able to conceive a clear Idea of the whole Transaction, and to form a distinct Judgment of the real Springs of the said *Treaty*, we must go a little further back, and observe that all the *Protestants* of the *Palatinate* enjoy'd full Peace and Tranquillity under the late *Electör*, who was the first *Roman Catholick* since the *Reformation* ; nor was there any such thing as Complaints heard of till the Year 1688, that the *French* had seiz'd on that Country, where, besides the unspeakable Cruelties exercis'd without distinction on the *Persons* and *Possessions*

sions of all the Subjects, they were not less sparing to violate all Rules and Orders relating to their *Consciences*, introducing, according to their constant Custom, several *Innovations* in Matters of Religion, to the great prejudice of that *Christian Liberty*, which they found establish'd there. These Violences were continu'd during the whole time of the last War, on the Western side of the *Rhine*. But they ceas'd on the other side, as soon as the Enemy had abandon'd it, in the beginning of the Year 1689, till the *French* having retaken *Heydelberg* in the Year 1693, entirely burnt and ruin'd it. This nevertheless did not hinder the present *Elector*, who succeeded his Father in the Year 1690, to favour and preserve, as much as he could, the antient Liberty of Religion, which was so entire and impartial in this Country, that one of the *Protestant Electors* built a Church at *Manheim* for the Exercise of the three Religions, which he call'd, very sutablely to its Design, the *CONCORDIA*.

Matters stood on this foot till the Treaty of *Ryswick*, which was concluded in the Year 1697, and is to be look'd upon as the real Source and Occasion of
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all the Complaints that have so much prepossess'd the World against his *Electoral Highness*, because of his holding for some time to the fourth Article of that Treaty, which provides, that, notwithstanding all Restitutions made by *France* to the *Confederates*, yet the *Roman Catholick Religion* shall remain within the *Places restor'd*, in the same Condition as it is exercis'd at present; among which Places the chiefeſt was the *Palatinate*, and which the *French* for many reasons had in their view at the making of this Treaty.

Were I not more concern'd for the Interest of Truth than the Reputation of an Orator, I would ask here, how justly those *Protestants* could blame the *Electors* for observing an Article to which themselves had given their Consent? I would enquire how that Article came to be agreed to by them at all? Or if the Dread of the *French King* was a sufficient Reason for their so doing, whether the same Apprehension was not as good a ground for him to keep to it, till that King became less dreadful to all of 'em? But I take no delight in finding of Faults, or rubbing of old Sores: my purpose is rather to heal and reconcile.

Therefore

Therefore I shall not long insist on a Supposition (which I might very naturally make) of some of our *Protestant* Princes in the place of his *Electoral Highness*, and consider whether in the like case he would be easily brought to turn those of his own Religion out of Churches whereof they were in possession by a solemn Treaty, and to introduce or establish the *Roman Catholicks* in their room?

To proceed then with the Narrative of the Fact, the Publication of an entire *Liberty of Conscience* was the first Step that the *Electör* made to ease and satisfy his Subjects. But as the *Protestant* Ministers at *Ratisbonne* did most pressingly insist on the entire Abolition of the fourth Article aforesaid, and the Re-establishment of the Affairs of Religion on their antient Foundation, even so as to join these things to matters of publick Exigence, such as the granting of Troops, and the like (which shews that *Tacking* is as fashionable at *Ratisbonne* as at *Westminster*) For this reason, I say, many Deliberations were held in the *Diet* about the Means of terminating this Difference, without their being able to pitch on any effectual Expedient; till at length

length the *Electör* (to demonstrate his Readiness to accept all reasonable Conditions) came to a Resolution of having this Affair adjusted at his own Court by his proper *Ministers*, and by those who were deputed for that end by his Majesty the King of *Prussia*, to avoid the usual dilatory Proceedings of the *Dyet*, which gave small hopes of any speedy Accommodation. His *Electoral Highness* was not deceiv'd in his Judgment herein ; and perceiving what Progress was made in this *Treaty* in so little a time, principally by his own personal Care and Application, he did by his *Ministers* both at *London* and the *Hague* invite the *Queen* and the *States General* to send thither Mr. *Stanhope* and *Mynheer van Ghent*, that it might be brought to a Conclusion with the greatest Honour and Solemnity possible. I know that our *Queen* did readily consent to this Offer, from her pious Concern for the Welfare of the *Protestant Churches* abroad ; and the *States General* having done as much, I doubt not but that both *Envoys* had repair'd to the *Palatine Court*, were it not that they were eas'd of that Trouble by the succeeding of the Accommodation sooner than was expected.

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The Treaty was concluded and sign'd by his *Electoral Highness* the twenty first of *November*, 1705; and the King of *Prussia* (who in this, as well as in divers other Instances, has signaliz'd his Zeal for the *Protestant* Interest) was so highly satisfy'd therewith, that he made considerable Presents to all the *Ministers* of the *Palatine* Court who had any hand in it. The *Elect*or did in the next place notify to the *Queen*, by his Resident Monsieur *Steingens*, the publick *Declaration* he made by virtue of the said *Treaty*, as may be seen in our *Gazettes*. He did the like to the *States General*, as well as to the *Imperial Dyet*, and to all the *Protestant Princes*. I am likewise well inform'd, that this *Declaration* was begun to be put in execution with as much Fairness as Dispatch, and with so great and universal a Joy of the *Protestants* of the *Palatinate*, that they celebrated a Day of publick Thanksgiving for so remarkable and unexpected a Blessing.

This is a succinct History of the matter of Fact, as punctually as I cou'd have opportunity to make my Observations. I wish I could as easily give the like account of all the *Difficulties* which so long retarded the Conclusion of a Business,
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which seems to have been very fairly intended on all hands. But nothing having appear'd from the *Press* on this Subject, I could only learn from my Correspondent at that *Court*, that after the *Elector's* necessary temporizing with *Rome* and *France* (as aforesaid) the principal Obstacle remaining, consisted in the fixing of the *Time*, which was to serve as a *Rule* whereby to order the intended Reformation ; since it was requisite to pitch upon some certain *Period*, wherein things had been settled to the satisfaction of the *Protestants*, the Innovations complain'd of not being introduc'd all at once, nor under one Pretext. The *Protestants* insisted on the Year 1624, and the *Elector's* Ministers wou'd have the Year 1618, because it was provided by a Treaty, that Matters of *Religion* shou'd continue in the *Palatinate* upon the same foot as they were before the Troubles which happen'd on the score of the Kingdom of *Bohemia* : but that as those Troubles did not begin before the Year 1619, it was reasonable to take the Year immediately preceding. The *Palatine* Ministers did further urge, that altho all the other Members of the *Empire* were oblig'd to keep to the Constitutions and Regula-
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tions concerning *Religion*, publish'd by the general Consent of the *Empire* ; yet that it was not the same thing as to their *Electors*, because that from the very beginning of the *Reformation* they were in possession of a Right to appoint in Matters of *Religion* (within their own Dominions) what they should think most convenient, without conforming to such Orders as either were or should be issu'd by the *Diet* of *Ratisbonne* : and that there were several Precedents of one *Elector's* abrogating what his Predecessor had establish'd ; so that if a *Protestant* Prince (for example) should ever happen to succeed, he must have the same Right of changing in *Religion* what his *Papish* Predecessor had introduc'd. Now supposing this to be true as to Fact (for I am far from allowing it in Right) it must be own'd, that the *Protestants* in general are under a most sensible Obligation to his *Electoral* Highness, who without any regard to so notable a *Privilege*, came to an Agreement so advantageous to the *Protestant* Religion, as we shall more evidently show anon, and as will demonstrably appear by the *Declaration* hereto annex'd.

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It must be likewise confess'd, that the *Electoral Palatine* has merited of our own *Queen* in a most singular manner, by his extraordinary Complaisance in paying so ready a Deference to the Instances of her *Majesty*, in so nice an Affair as that of *Religion*, to the prejudice of his particular Right; and this by so much the more, as that his *Electoral* Highness was known to declare, that if the King of *Prussia* should not be content with what he had granted to the *Protestants* (which appear'd so reasonable to several of them engag'd in this matter, that they acknowledg'd they cou'd have demanded no more, were it left to their sole Arbitration) yet he wou'd not fail to put it in execution, and to send the Result thereof to the *Maritime* Powers, and the rest of the *Protestant* Princes, to convince them that it was none of his fault, if all these Differences were not amicably and finally adjusted. Who can have the Front after this to tell the World, that his *Electoral* Highness is a *Persecutor* of the *Protestants*? Considering especially that he confides his Armys to the Care and Conduct of *Protestant* Generals, that he indifferently admits of *Protestants* into all his Councils, that one of his Principal *Secretaries* of State is

a *Protestant*; and that not only in the *Palatinate*, but also in the Dutchies of *Juliers* and *Bergues* (where he makes his ordinary Residence) he grants so entire a *Liberty of Conscience*, as that the *Protestants* may publickly exercise their Religion, and build *Churches* wheresoever they please.

For my own part, I cannot but frankly acknowledg after all this, that I am entirely cur'd of those *ill Impressions*, which I formerly conceiv'd against this Prince as to Affairs of *Religion*, taking him at present to be as much a Friend to the *Protestants* (making a due allowance for his own Persuasion) as I formerly believ'd him to be their Enemy. Nor can I but wonder at the long Continuance of those *false Reports* in this Country, notwithstanding the Notoriety of the greatest part of the Facts we have hitherto related. But I am much inclin'd to believe, that some who call themselves *Protestants*, and who yet appear no great Friends to the *Confederates*, nor to the *Protestant Succession* in one of the *Palatine* Family, being exasperated at the *Elector's* most particular Zeal for the *Common Cause*, have made it their Business to foment a Distrust of him in the
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Opinion of this Nation, and so to blast (if they could) all the Kindness and Confidence he seems to have a Title of expecting from the *Queen*, after what he has done for the *Protestants*, with so principal a regard to her *Majesty's* Interposition. Nay, and how far even some *Princes*, jealous of the *Electors*'s Glory and Reputation on these accounts, may have contributed to spread those *dishonourable* Reports, is matter fitter for private Speculation than publick Discussion.

But as to what we have so often said, that his *Electoral* Highness is no *Persecutor*, it will clearly appear by the DECLARATION he publish'd in his Territories, upon the Treaty lately concluded with the King of *Prussia*, and which (as was mention'd before) he imparted to her *Majesty*, who was most highly pleas'd at the good issue of a thing she took so much to heart, from her tender regard to our *Protestant* Brethren abroad. This DECLARATION I have hereunto annex'd at large, not only to satisfy the Curiosity of the Publick, but likewise as a piece that may serve for an excellent Model for all Transactions of the same kind. The *Protestants* themselves do not ordinarily grant to one

another what is done here by a *Roman Catholick* ; for not only those of the *different* Religions are made equally Partakers of all Privileges belonging to Citizens, Merchants, Companies, and other Societies ; but are also admitted *indifferently* into all civil Posts and Magistracys, to the shame of such as impolitickly practise the contrary. 'Tis likewise provided with as much Prudence and Justice, as the thing is uncommon, that those of one Religion shall exercise no manner of *Ecclesiastical Jurisdiction* over those of another ; which to do is the greatest absurdity in the World, as it is most reasonable that those of the same Communion should exercise their own Discipline within themselves. The *Elector* will quickly perceive the good effects of this equitable Proceeding, both in the peopling of his Countrys, which of consequence makes him rich and powerful ; and in the Affection of his Subjects, whose Obedience is not half so well secur'd by any Set of Notions or Doctrines (be they what they will) as by wholesom Laws, and an *impartial* Administration. But his most serene *Highness* is likewise so nice a Judg, and so munificent a Patron of the liberal Arts and Sciences, that, in forming

ing this incomparable DECLARATION, he could not be unmindful of restoring the *Universities*, not only to their antient Splendor, but to make them likewise Places of Improvement to those of all Persuasions: which serves to condemn the Practice of those who regulate the Seminarys of publick Education, as if none were to be learned or polite but their particular Society; and yet these will gravely pretend to abhor the like Partiality in the Emperor *Julian*. But here follows the DECLARATION to speak in its own behalf, where note, that *Evangelick* signifies Lutheran, and *Reform'd* Calvinist.

We John William, by the Grace of God, Count Palatine of the Rhine, Arch-Treasurer and Elector of the Holy Empire; Duke of Bavaria, Juliers, Cleves, and Berg; Count of Veldentz, Sponheim, De la Mark, Ravensperg, and Meurs; Lord of Ravenstein, &c. To all those to whom these Presents shall come, Greeting.

WHEREAS it has been always our greatest Care, from the first moment that we entred on the Government of our Electorate, to endeavour as much as in us possibly lay, to prevent and compose all occasions of Differences which might happen among any of our Subjects, touching the Exercise of their several Religions: We have therefore, for these Reasons, from time to time given such Orders as we believ'd to be the most convenient and necessary, not forgetting any means that might contribute to this good end.

end. But having understood, contrary to all expectation, that our wholesome Intention has not had the effect which we promis'd our selves, our Subjects of the Reform'd Religion alledging they were oppress'd by several Grievances: We therefore being mov'd by the regard we had to the Recommendations of our Allys, and by our Desire of confirming the Union which is so necessary among our Subjects, have thought fit to cause the ensuing Ordinances to be publish'd in our Electorate, and in the other Territorys therein-mention'd, establishing as follows :

THAT from this time, and always for the future, it shall be lawful for all our Subjects of the *Palatinate*, who profess any of the three Religions tolerated in the *Holy Roman Empire*, especially to those of the Bayliwick of *Termersheim*, to exercise and enjoy an entire Liberty of Conscience, the Abuses which may have been introduc'd contrary to the same, being first suppress'd ; and that they be neither troubled therein, nor disquieted in any manner whatsoever. To this end we command to be observ'd at all times, without any Contravention,

travention, the Points hereafter specify'd, to which our Subjects are requir'd to conform, and to regulate themselves accordingly, on pain of our highest Indignation in case of Disobedience.

This being premis'd, every Person, whether he be young or old, when he's arriv'd to the Age of Discretion, may profess any of the three Religions tolerated in the Holy Roman Empire, openly and without any molestation, enjoying an entire Liberty of Conscience, and being free to embrace the one or the other Religion, as to himself shall seem best : to which end all Orders, that may have hitherto been issu'd out in the *Palatinate*, and in the Bayliwick of *Termerheim*, contrary to this Liberty of Conscience, are hereby repeal'd.

In the Marriages which shall be contracted between Persons of different Religions, it shall be lawful for the Parents to cause their Children to be baptiz'd and brought up in the Religion they have agreed upon in their Contract, conformably to the Matrimonial Consistory, or as they may agree after their Marriage : which nevertheless they shall be oblig'd to prove by authentick Witnesses ; for otherwise, if it does not appear in their
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Contract of Marriage that this point is specify'd therein, the Children are to follow in their Religion the Heads of Families. But those Children themselves shall enjoy an entire Liberty of Conscience (as above provided) when they shall come to the Age of Discretion ; and it shall be likewise free for the surviving Father or Mother to bring up their Children in their own Religion, as they shall think fit.

When a Marriage is to be celebrated between Persons of different Religions, the Banes shall be publish'd in the Churches of both their Persuasions, tho they should live in the same City or Parish ; and the said Persons are oblig'd to demand a Licence, which shall be always granted without Mony or any Obstacle whatsoever.

In performing the Ceremony of Marriage, the Bride shall follow the Bridegroom. The Catholick Priests and Curates may not marry any Protestants without obtaining the Dispensation of the Banes of their Ministers ; neither may the Protestant Ministers marry any Roman Catholick without the Dispensation of their Banes from their Priests or Curates.

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To Orphans shall be appointed Guardians of the Religion in which they are to be educated, according to the Contract of Marriage between their Fathers and Mothers; or in default thereof, according to the Rule for this purpose specify'd above.

The foresaid Reform'd and Lutherans shall not be oblig'd to observe any other Ceremonies but their own. Wherefore when there are Catholick Processions, they shall neither directly nor indirectly be constrain'd to strow Herbs, plant May-poles, nor to ring the Bells in the month of *May*, on other Holidays, nor at the *Avemaria*; and much less shall they be requir'd to assist at the Processions with their Arms, or to carry Crosses or Banners, or to take off their Hats when the Bells ring to Prayer at Morning, Noon, and Night. They shall not therefore be molested nor disquieted by any Person for the causes now mention'd, nor bound to be present at any of these Catholick Ceremonies. In like manner the Catholicks shall neither directly nor indirectly be troubled in any manner, be disquieted or hinder'd in their Divine Service, or in any other of their ordinary Ceremonies.

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Furthermore, the foresaid Reform'd and Lutherans shall not be oblig'd to conform to the Customs of the Catholicks, which prohibit the solemnizing of Marriage at certain times; but may marry at any time after they have demanded permission from the Palatine Regency.

Neither shall the said Reform'd and Lutherans be oblig'd, when a Procession goes along, or the Sacrament is carry'd to sick Persons, to present their Arms or to fall upon their knees. Nevertheless, they may not give any offence of set purpose, but retire into some House till the Procession is past, or (if it be in a place where this cannot be done) they are only requir'd to take off their Hats.

It shall be also lawful for the said Reform'd or Lutherans, whether inhabiting Cities or Villages, to follow their work on the Catholick Holidays within their Houses, only keeping their Doors, Shops, and Windows shut; neither shall they on this account have reason to fear any Inquisition or Punishment. But all Smiths and other Handicraftsmen that make a noise, shall not work on the said Days, unless it be for Passengers, or in cases of necessity.

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The Lutherans and the Reform'd may, on the Catholick Holidays, keep their Schools open, catechise their Youth, and celebrate their monthly Days of Prayer.

Those of the Confession of *Augsburg* shall not be oblig'd to use what is call'd the Baptism of Necessity, or that of Catholick Midwives, against their will.

It shall be lawful for the Reform'd and Lutherans to eat Flesh-Meat in their Houses during Lent, and on the Catholick Days of Abstinence.

No Person, whether Ecclesiastick or Secular, shall be persecuted for the sake of his Religion, whether he's born in the same, that he has newly embrac'd it, or made profession of it for a long time past; neither shall he on this account be oblig'd to leave his Country, City, or Village, or be despis'd or affronted for his Persuasion.

No Person shall on the score of his Religion be excluded from the Magistracy, or from the Rights and Privileges of Corporations, Merchants, Trades, Chambers, Companies, publick Contracts, Purchases, Sales of movable or immovable Goods, from the Rights of Succession where it is determin'd, nor from any Inheritance, Legacys, or other Rights whatsoever.

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We further permit, that in Matrimonial Affairs those of the Confession of *Augsburg* be dealt with in all points according to the *Recess of Religion* made in our Dutchies of *Berg* and *Juliers*; or according to the Judicature which was establish'd there for the Marriages of those of the Confession of *Augsburg*. But this Judicature not being yet re-establish'd there, it shall be lawful for the Ecclesiastical Council of the Reform'd, or to Lutheran Counsellors to this end nam'd and authoriz'd, to judg of the same.

In case any difference happens between a marry'd Couple of different Religions, the Complainant shall be oblig'd to submit to the Decisions of Justice of the Party accus'd; so that the Lutheran shall be judg'd according to the Ecclesiastical Law of the Lutherans, and the Catholick according to the Ecclesiastical Law of the Catholicks, especially in the Point of Divorce and Repudiation.

As for what concerns the Dispensation of Marriage within the prohibited Degrees, all Persons shall follow the antient Ordinance made in the *Palatinate* for the Judicature of Marriages: and thus the Lutherans shall partake of the Benefit of the Law according to their own Religion.

To

To the end that the Difficulties which have hitherto arisen touching the publick Service may be terminated all at once, after mature Deliberation we have order'd they be remov'd, as by these Presents we do remove them; in such sort nevertheless, that it shall remain establisht in the places where it has been in the time of the Elector *Charles Lewis* of glorious Memory, together with the neighbouring States; namely, the Electorate of *Mentz* by the Treaty of the *Bergstraet* of the Year 1650, and by that of *Ratisbonne* of the Year 1653, as likewise by the Agreements made with the House of *Baden* in the Years 1652, 1653, and 1661: which shall all continue in force, and according to the Tenor whereof We shall maintain our Subjects of both Religions, and shall protect them conformably to the said Treaties against all manner of Attempts, so as to meet with no sort of hindrance.

We ordain at the same time (to the end that all our dear Subjects of each Religion may exercise the Worship they profess not only apart, but also freely, openly, and without any lett) that what follows be punctually observ'd touching Churches, Parishes, Schools, their Dependencies, Tythes, and Revenues.

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As for what regards the three principal Cities in the Palatinate, namely, *Heidelberg*, *Manheim*, and *Frankendaal*, with our other Cities and Bayliwicks, *viz.* *Alzey*, *Baccarach*, *Bretten*, *Lauteren*, *Mosbach*, *Newstaät*, *Oppenheim*, *Simmeren*, *Stromberg*, and *Ladenburg*, when in any of these there are two or more Churches, or Places of Churches, where the Reform'd have us'd the Exercise of their Religion in the Year 1685; or that such Churches have been erected since that time at their expence, and where the Roman Catholicks neither have a Parish nor any Church belonging to their Religious Orders: it is our Pleasure, that one be assign'd them exclusively of all others. However the Catholicks, notwithstanding the said Regulation, shall retain the Church of the Recollects, call'd the Church of the Hospital or of the Garison in the Suburbs; wherein nevertheless neither the Hospital nor the Revenue of the same are comprehended: And also the Catholicks shall have the Quire of the Church of the Holy Ghost, which shall be separated by a Wall, and so the Entrance is to be made to it from without. In exchange hereof the Reform'd shall have to themselves the sole use of the Body of the said

said Church of the Holy Ghost. The Steeple with the Bells shall be common to both; as also that of *St. Peter*, with its Quire and Appurtenances. And finally, all the other Churches, Places, Quires, with their Dependencies, and all Parsonage-Houses, Schools, or their Places, in the possession whereof the Reform'd have been in the Year 1685, shall still remain to them: and they shall likewise (in lieu of the aforesaid Churches of the College and Garison) have to themselves exclusively the *Schonaver-hoff*, situated in the City of *Heidelberg*, with all its Appurtenances, to employ it as they think best, either as a Church, College, School, Parsonage-House, or for any other Ecclesiastical Use.

We further ordain, that, according to the above-said Regulation, there be given exclusively to the Reform'd of *Manheim*, the Church that has been provisionally built in the same, with the great Place or Square of the Church, and the Foundation laid therein, which was design'd for the *High Germans* and *Walloons*; as likewise all the Parsonage-Houses, Rectorys, and Schools, whereof the Reform'd had possession in the Year 1685, or have hitherto built or acquir'd by a lawful Title:
and

and the Catholicks shall content themselves with the Church of the Capuchins, till they have built another.

We further will, that to the Reform'd of *Frankendaal* be given this Church, with its Dependencies ; in the Quire of which there is perform'd a common Exercise of Religion. There shall remain to the Reform'd the Pedagogy, the Parsonage and School-houses, with all that they enjoy'd in the Year 1685 ; and the Catholicks shall have the second Church, but the Reform'd shall have the third Church exclusively for the *Walloon* Congregation.

In the rest of our Towns above mention'd, the foresaid Regulation is to be follow'd, by virtue of which the Reform'd shall have the great Church at *Alzey*, and the Catholicks that which is at present in the possession of the Capuchins. So likewise at *Lauteren* and *Oppenheim* the Reform'd shall have the great Parish-Church, and the Catholicks the two Churches of the Franciscans, which are in the said Towns. At *Baccarach* the Catholicks shall have the Church situated at the foot of the Mountain, and the Reform'd the Parish-Church. Thus at *Weinheim* the Reform'd shall have the Parish-Church situated in the Suburbs,

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and the Ruins of the Hospital-Church which is in that Town; and the Catholicks shall have to themselves exclusively the Church of the Carmelites.

In those Towns of the foremention'd Bailiwicks, where there is but one Church, or one Place of a Church, the Reform'd shall have the Body of the Church with its Appurtenances; and the Catholicks the Quire, which is to be separated by a Wall, at the expence of both Parties. And it shall be further lawful for each of 'em to build what they please on their own side, provided there be room for the same.

We further require and ordain, that the Churches in all the other Towns, Boroughs, and Villages of the open Country, where there is but one Church (in which the Reform'd have perform'd the Exercise of their Religion in the Year 1615, and where the Catholicks have no Cloister or Church of their own) be divided; but in such sort however, that the Catholicks shall have any Parish-Church of the said Year, where there is no Protestant Minister at present, but only Catholicks, making a deduction of their two parts in seven, as hereafter specify'd. And that, in exchange, the Reform'd

form'd shall preferably chuse, out of this Inspection, where the said Church granted to the Catholicks is situated, their five parts in seven, due out of the Churches where the Reform'd Ministers remain at present, by reason of the Church granted to the Catholicks: so that the Catholicks shall retain two Parish Churches, and the Reform'd five of those where their Ministers continue. The other Churches shall be divided betwixt them in the following manner. First, the Remains of such Churches where any Ministers still continue. Secondly, the Churches that are well built or in a good condition. Thirdly, those Churches or Chappels of Ease which are very near ruin'd. And lastly, the real Ruins shall be put together seven at a time; in such a manner, as that in the following Inspection the Reform'd shall have five and the Catholicks two exclusively; of which nevertheless our Reform'd Consistory shall chuse the first, and the Counsellors we shall name on behalf of the Catholicks shall chuse the second, the Reform'd the third, the Catholicks the fourth, and so on.

We likewise expressly ordain, that the Reform'd be left in the Enjoyment of all

Possessions, Revenues, and the great and small Tythes of the Churches that shall be solely granted to their use ; which Possessions, Revenues, or Tythes, were enjoy'd by some Protestant Minister in the Year 1685 as his Stipend, or were receiv'd by Collectors for the use of the Reform'd Church, without any diminution, and with the Franchises whereof they are in possession. And our Chamber of the Finances, with what depends on this Body, as also the neighbouring Collegiales and Communities, shall be oblig'd to pay the same, as it has been formerly practis'd.

The Catholicks, by virtue of the abovesaid Regulation, shall enjoy the same right in the Churches belonging to them exclusively.

But nevertheless their Collegiate Churches, and the Revenues of Cloisters shall not be comprehended therein.

We further consent, that it be lawful for all the Reform'd or the Lutherans dwelling in any place, where there is but one Church, Parsonage-House, or School, belonging to the Catholicks, to perform the publick Exercise of their Religion in any House or other Place that shall be found convenient. This shall be likewise

as lawful for the Catholicks, granting to each of the Parties the liberty of building, in all places where they find it necessary, new Churches, with Steeples, Bells, and whatever depends on these, as likewise Parsonage-Houses and Schools : in which case we exempt from all Taxes and Charges those new Places whereon such Churches, Schools, Parsonage-Houses or School-Houses, may be erected ; and we shall in like manner maintain the said Houses and Buildings in their Immunities, so long as they serve for the Uses above-mention'd.

All the Colleges of the Lower Palatinate, Pedagogies, Rectoral Houses, and *Latin* Schools, or their Places ; particularly the College call'd the *Sapientia*, and the School of the *Neckar* at *Heydelberg*, the *Casimirian* College at *Newstad*, or instead of the same an Equivalent in good condition, the Colleges of *Frankendaal*, *Manheim*, and of other places, or the Ground on which they were built, which the Reform'd possess in the Year 1685, shall still belong exclusively to the said Reform'd, with all the Revenues and Perquisites, as they enjoy'd them the said Year.

And to remove all occasion of Disputes for the future, it is our Pleasure, that all the several Religions exercise every where over those that follow their Belief, Ecclesiastical Jurisdiction, the Right of Pastors, and all other Consequences of a publick Exercise.

Altho the Churches of the foremention'd Places be assign'd to a certain Religion, nevertheless the Rights of the Ordinary or the School, and much less the Ecclesiastical Jurisdiction, shall in no manner be extended over those of another Religion : and all Pretensions of this sort shall be expressly forbid, and are actually suppress'd by these Presents.

'Tis further our Pleasure, that the Bells and the Church-yards depend on the Churches ; with this condition notwithstanding, that at Burials, Marriages, and the like Ceremonies, the one Party shall for a reasonable Price ring the Bells for the other. And where there is but one Churchyard, it shall be lawful for all the Religions to bury their Dead in common therein, to sing Psalms, and to perform their other accustom'd Ceremonies. It shall be lawful for 'em likewise to procure to themselves distinct Churchyards, or amicably to agree among themselves about

about dividing their Churchyard, according to their Occasions and the Situation of the Place, which is to be understood in the following manner. Where the Churches are left in common, the Catholicks shall keep the Quire in repair, and the Reform'd the Body of the Church. The Reparation of the Steeple and the Bells shall be common to both: unless the Patron, the Collector of the Tythes, or some other was formerly oblig'd to the reparation of the Churches belonging to the Reform'd, where none shall exercise the *Jus Patronatus*, if it was not exercis'd in the same in the Year 1685.

As in the time of our Ancestors the Rents and Revenues arising from Collegiate Churches, Provostships, Abbeyes, Cloisters, and such other Bodies, have been for the most part employ'd to pious Uses; and we having resolv'd to employ to the same purposes all the Revenues of the said Bodies, which the Administration call'd *Verwaltung* did particularly possess in the Year 1685:

We therefore ordain and enjoin by these Presents, that five parts in seven of the said Revenues (be it in Mony, Fruits, Wine, or in any other things) be employ'd for the maintenance of the Re-

form'd Consistory, of their Ministers, Churches, and Schoolmasters, for the Reparation, Re-edification, and necessary Support of their Churches and Schools.

The other two parts in seven shall remain at our free Disposal, *deductis pro rata oneribus*; and the said Fruits or Wines shall not be purchas'd after the current Price of the Country or without ready Mony, nor in any wise diminish'd, whether it be for Political or Ecclesiastical Uses, nor under the name of the Conservation and Protection of the Country.

And to prevent all Subject of Distrust, we command that the said Goods and Revenues be manag'd by a general Administration, consisting of two Catholick Counsellors and two Reform'd, with the Clerks and other necessary Officers: with this condition nevertheless, that the Catholicks and the Reform'd shall at the end of every three months make a repartition of their Revenues in common, whereof the Counsellors of the said Administration shall give Information by way of Rescript to the Clerks of the Administration in the Country: which Revenues shall afterwards be deliver'd and counted by the said Clerks to the
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Receivers of both Religions; namely, to the Catholicks two parts in seven, and to the Reform'd five parts in seven, as it has been above assign'd. Nevertheless the least thing shall not be given to either Party before the Repartition is made, and that an account is given thereof to us; with this condition however, that what remains of the same be distributed to both Parties, to put the same to what use they please.

This once done, the Counsellors of the Administration may no longer intermeddle in this matter; but each Religion may absolutely dispose of their particular part. After this, the Clerks shall depend on the said Counsellors separately, and shall obey their Orders without any repugnance, as it shall be enjoin'd them by the Formula of the Oath they are to take.

In all other cases every thing shall stand conformably to the Ordinance of the present Administration.

Furthermore, as to what concerns the Reform'd Ecclesiastical Council and Jurisdiction, it shall be re-establish'd according to the Tenor of the Ordinance of the *Palatine* Ecclesiastical Council of the Year 1564; and shall be protected and main-

maintain'd conformably to the said Ordinance, as it has been to the Year 1685, in all its Franchises and Immunities, and the course of Payment.

We also ordain, that it shall be lawful for the Reform'd Ecclesiastical Council to adjoin to themselves as many Ministers and Schoolmasters as they shall judg necessary, and to transfer them whither they will, as also to unite or divide their Curacies, which nevertheless must not be done without our knowledg. And in case any Minister shall be accus'd to have preach'd, calumniated, or acted in any unlawful manner against the Catholick Religion, the matter must be enquir'd into as often as there shall be occasion, by employing as many Ecclesiastical Counsellors as there are Commissioners appointed for this end; and the Party accus'd shall be proceeded against according to the Ordinance of the Inquisition of the *Palatinate*, that true Justice may be done.

And to the end that our University of *Heydelberg*, formerly so much celebrated, may be able with the soonest to return to its antient Splendor, and that an opportunity may be given to all the Religions to improve in all the Faculties; we have

have resolv'd to settle two Reform'd Divines for the Theological Faculty, and to endow them with the Salaries which they were heretofore accustom'd to receive. To effect this purpose, we expect it from our Reform'd Council to suggest the means to us whereby the said Professors may be establish'd. We shall also expect for the future, that when any of those Theological Chairs come to be vacant, the said Reform'd Council inform us how they may be most effectually supply'd.

'Tis our Pleasure further, that the Charities collected or founded in each Religion be solely manag'd and distributed by the Receivers expressly appointed to this end in that Religion.

But the *Legata* and *Capitalia*, particularly at *Heydelberg*, *Manheim*, *Frankendaal*, and in such other places as there are any, and which are not yet consum'd, shall be restor'd and left to those of the Religion that were in possession thereof before the Communion and Participation now introduc'd : and each Religion shall administer independently the part that belongs to it, in such wise as that no injury be done to the one or the other side.

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As for what concerns Pensions or Stipends, they shall now be paid as they were us'd to be in the Year 1685: and both these and all others that have been hitherto founded, or that may happen to be so for the future, shall, according to the last Will of the Founder, appertain to the Religion he has profess'd.

'Tis likewise our Pleasure, that in the Hospitals, in the Houses for Orphans, and in the Alms-Houses, erected by the Inhabitants and Citizens of the *Palatinate*, those of both Religions be admitted according to the Proportion by us accorded of $\frac{2}{7}$ and $\frac{5}{7}$, without being molested in any manner on the account of their Persuasion: and the Orphans shall be bred in the Religion that was profess'd by their Parents. For the rest, we ordain, that without regard to their Religion, the Poor and the Sick be admitted into the same, and enjoy an entire Liberty of Conscience.

We further will and command, that not only the Church granted to them in the Year 1624, be solely left to the Lutherans; but likewise all those they have hitherto built, or shall build in time to come: and the Evangelick Consistory establish'd by us, shall continue independent

dent of the Reform'd Ecclesiastical Council ; and they shall have the Administration of such Ecclesiastical Goods, Parsonage-Houses, and Schools, as well as of all the other Revenues whereof they shall probably appear to have enjoy'd the Possession, in the Year 1624.

*Given at Duffeldorp the 21st of
November, 1705.*

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